

07/05/2005 TUE 14:18 FAX 12489888363 Carlson, Gaskey & Olds

007/011

Serial No. 10/680,986
60,130-1891
03MRA0488

AMENDMENTS TO THE DRAWINGS:

Figures 3 and 5 were amended to include a central axis of the stabilizer bar.

These drawings replace the previously filed drawings.

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REMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claims 1, 2, 19, 21 and 22 have been amended. New claims 23-26 are presented. Accordingly, claims 1-9 and 11-26 are pending.

Claims 1-9 and 11-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over WO 99/54157 in view of Szukay *et al* (4,818,166). The Examiner admits that WO 99/54157 fails to disclose "crimping to form crimped areas at opposed locations." WO 99/54157 fails to disclose crimping to form crimped areas not only at opposed locations but, as previously discussed, WO 99/54157 fails to disclose pinched areas of any sort. WO 99/54157 specifically recites "The opposing ends are provided with mutually cooperation engagement portion which are similar to the previous embodiments." [See page 10, lines 5-6] WO 99/54157 specifically recites that the retaining assembly is "*pressed (crimped) from the outside. This causes the U-shaped slack portion 30a to EXTEND, and the cooperating engagement portions to engage each other so that the retaining assembly is firmly attached to the stabilizer 1.*" [See page 10, lines 16-19; emphases added]

The Examiner attempts to correct this deficiency by suggesting that Szukay *et al* discloses "crimping at opposed locations." Initially, Szukay *et al* does not disclose "crimping" of the ring itself. Szukay *et al* requires a groove which becomes filled with the retaining ring which is plastically deformed inward. Plastic deformation is taught by WO 99/54157. Importantly, the plastic deformation is directed INWARD toward the bar to fill the entire cross-section of the groove. This is not crimping. Szukay *et al* specifically discloses:

When the retaining ring bears against the component 3, it is located at the position 6'. Thereafter, *the retaining ring is plastically deformed radially inward by having developed on its outer surface an inwardly direct bearing pressure represented by arrows 8 developed by contact between an attaching tool 7 and the portion of the retaining ring adjacent the surface of the tool.* The deformation continues until the partial areas X of the retaining ring 6" are plastically deformed *so that they fill the entire cross section of the annular groove without clearance or play between the component and the shaft.* Because of the radial displacement of the partial areas X of the retaining ring 6", convex portions Y of the retaining ring

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located between the partial areas X are formed and extend radially outward from the axis of the shaft into the annular groove.

[Col. 3, lines 17-33; emphasis added]

Szukay et al cannot correct the Examiner admitted deficiency of *WO 99/54157* because *Szukay et al* also fails to disclose or suggest crimping to form pinched areas. The claims are allowable for this reason alone.

In addition, Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to modify *WO 99/54157* in view of *Szukay et al* as proposed. *Szukay et al* requires a groove to be filled with the retaining ring as discussed above for the system to provide effective retention. [see Figures 1 and 2]. *WO 99/54157* does not utilize a groove. In fact, a primary purpose of *WO 99/54157* – and Applicant's invention – is avoidance of a groove as such a groove would weaken the stabilizer bar and also prevent later mounting of the collar after stabilizer bar installation. That is, the annular groove would have to be cut in advance which would require knowledge of where it is to be located. Such knowledge would require fitting and further process steps which Applicant avoids as Applicant's collar may be attached to a fully formed stabilizer bar.

Without the annular groove the retention arrangement taught by *Szukay et al* will be inoperative. With a groove, a primary goal of *WO 99/54157* is destroyed. It is improper to modify the base reference in such a way that it ruins the goal or function of the base reference. The Examiner's proposed modification would do so. The claims are alternatively or additionally allowable for this reason.

Regarding claims 2, 4, 5, 9-11, and 20-22 the Examiner relies on *WO 99/54157* in view of *Szukay et al* as discussed above. The Examiner suggests that *WO 99/54157* does not disclose various design details claimed but that these details have insignificant impact on the functioning of the device and that it is merely a design choice. This simply cannot be supported. *WO 99/54157* and *Szukay et al* operate in a completely different way than Applicant's claimed invention. As discussed above, *WO 99/54157* fails to disclose a pinched area of any sort and *Szukay et al* does not correct this deficiency. Furthermore, *WO 99/54157* relies greatly on the abrasive grains 12 which suggests that *WO 99/54157* utilized conventional plastic deformation which drives the abrasive grains into the outer periphery of the stabilizer bar [see page 8:14-8:22].

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New claims 23-26 recite further features of the present invention which are neither disclosed nor suggested by the cited references and are thus properly allowable.

Please charge \$200 to Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, for 4 claims in excess of 20. If any additional fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

DAVID L. WISZ
Registration No. 46,350
Attorneys for Applicant
400 West Maple, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

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